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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/975,505	10/12/2001	Takayuki Asai	040447-0238	9792
22428	7590	11/17/2004	EXAMINER	
FOLEY AND LARDNER SUITE 500 3000 K STREET NW WASHINGTON, DC 20007			ENGLAND, DAVID E	
			ART UNIT	PAPER NUMBER
			2143	

DATE MAILED: 11/17/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary	Application No. 09/975,505	Applicant(s) ASAI, TAKAYUKI	
	Examiner David E. England	Art Unit 2143	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 12 October 2001.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-18 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-18 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
 Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
 Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☒ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413) |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | Paper No(s)/Mail Date. _____ |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| Paper No(s)/Mail Date <u>10/21/01, 8/15/03, 8/17/04</u> | 6) <input type="checkbox"/> Other: _____ |

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DETAILED ACTION

1. Claims 1 – 18 are presented for examination.

Claim Rejections - 35 USC § 112

1. The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

2. Claims 3 and 14 rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

3. The limitation of “external” in claims 3 and 14 do not seem to state what the predetermined period is set “externally” from. Applicant is asked to amend this limitation in order state where exactly the setting is occurring.

4. Claims 3 and 14 recite the limitation "the external". There is insufficient antecedent basis for this limitation in the claim.

Claim Rejections - 35 USC § 102

5. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in a patent granted on an application for patent by another filed in the United States before the invention thereof by the applicant for patent, or on an international application by another who has fulfilled the requirements of paragraphs (1), (2), and (4) of section 371(c) of this title before the invention thereof by the applicant for patent.

The changes made to 35 U.S.C. 102(e) by the American Inventors Protection Act of 1999 (AIPA) and the Intellectual Property and High Technology Technical Amendments Act of 2002 do not apply when the reference is a U.S. patent resulting directly or indirectly from an international application filed before November 29, 2000. Therefore, the prior art date of the reference is determined under 35 U.S.C. 102(e) prior to the amendment by the AIPA (pre-AIPA 35 U.S.C. 102(e)).

6. Claims 1 – 4, 8 – 10, 12 – 14, 16 and 17 are rejected under 35 U.S.C. 102(e) as being anticipated by Huang et al. U.S. Patent No. 6438576 (hereinafter Huang).

7. Referencing claim 1, as closely interpreted by the Examiner, Huang teaches an object filtering method for filtering an object in a process of accessing, through a proxy server for relaying an access to various services of the Internet, a server which is disposed on the Internet and stores various types of objects and requesting the server to acquire a desired object, comprising:

8. a step of monitoring the residual amount of a memory capacity in a client, (e.g. col. 5, line 42 – col. 6, line 4, “...*the local proxy server has access to a table wherein are stored the characteristics(e.g., type of display, size of graphics memory, etc.) of the various client devices that can be serviced by the local proxy.*”);

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9. a step of notifying a filtering condition from the client to said proxy server in accordance with the monitoring result, (e.g. col. 5, line 42 – col. 6, line 4, *“In the latter case the proxy 110, 111, 112 can access a table of device capabilities, based on an identifier of the requesting device sent with the request, and can construct the RHI based on the stored information in the table.”*);

and

10. a step of filtering the object in accordance with the filtering condition thus notified by said proxy server, (e.g. col. 6, lines 52 – 65, *“Object renderer may be a computer program which renders, by example, a color image into a black-and-white image, or one that reduces a complex HyperText Markup Language (HTML) text into a simple HTML text containing only summary of the HTML headers.”*).

11. Referencing claim 2, as closely interpreted by the Examiner, Huang teaches the filtering condition is notified from the client to said proxy server at a predetermined period, (e.g. col. 3, lines 50 – 67, *“at the request”, “RHI”*).

12. Referencing claim 3, as closely interpreted by the Examiner, Huang teaches the predetermined period is freely set from the external, (e.g. col. 3, lines 50 – 67, *“at the request”, “RHI”*).

13. Referencing claim 4, as closely interpreted by the Examiner, Huang teaches the filtering condition is validated only for a predetermined term, (e.g. col. 3, lines 50 – 67, *“at the request”,*

"RHI" & col. 4, lines 40 – 52, "...which is then free to modify the assignment plan according to local considerations, such as CPU loading at the nest node.").

14. Referencing claim 8, as closely interpreted by the Examiner, Huang teaches the filtering condition is represented by the data length of the object, (e.g. col. 10, lines 46 – 67, *"It can be appreciated that a proxy server 110, 111, 112 that receives an image object having the above-noted PICS label $r(c\ 16\ s\ 1000)$, in response to a request from the PDD having the above-noted RHI $d(c\ 1\ s\ 2)$, will be informed that the PDD is incapable of displaying the image object as received, and that the image object will need to be rendered into a form that the PDD is capable of displaying."*).

15. Referencing claim 9, as closely interpreted by the Examiner, Huang teaches said proxy server prohibits a file having the data length exceeding the data length notified from the client as the filtering condition from being transmitted to the client, (e.g. col. 10, lines 46 – 67, *"If, however, for some reasons the proxy server elects to not completely render the image object, or to not render the image object at all, due to, for example, loading considerations or a lack of suitable software, then the PICS label of the image object will not reflect a condition compatible with the display capabilities of the PDD."*).

16. Referencing claim 10, as closely interpreted by the Examiner, Huang teaches the client is a cellular phone terminal, (e.g. col. 6, lines 24 – 38, *"smart phone"*).

17. Claims 12 – 14, 16 and 17 are rejected for similar reasons stated above.

Claim Rejections - 35 USC § 103

18. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

19. Claims 5 – 7 and 15 are rejected under 35 U.S.C. 103(a) as being unpatentable over Huang (6438576) in view of Gauvin et al. (6061686) (hereinafter Gauvin).

20. Referencing claim 5, as closely interpreted by the Examiner, Huang does not specifically teach the filtering condition is represented by a filename extension of the object.

21. Gauvin teaches the filtering condition is represented by a filename extension of the object, (e.g. col. 8, line 60 – col. 9, line 5). It would have been obvious to one of ordinary skill in the art at the time the invention was made to combine the Guavin with Huang because filtering out specific types of data would guaranty that the specific types would not be introduced into the environment to overwhelm the network with more bandwidth demands. Furthermore, with would also ensure that only information desired by the user would be transmitted to the user's system.

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22. Referencing claim 6, as closely interpreted by the Examiner, Huang does not specifically teach said proxy server prohibits only a file having the filename extension notified from the client as the filtering condition from being transmitted to the client.

23. Gauvin teaches said proxy server prohibits only a file having the filename extension notified from the client as the filtering condition from being transmitted to the client, (e.g. col. 8, line 60 – col. 9, line 5). It would have been obvious to one of ordinary skill in the art at the time the invention was made to combine the Guavin with Huang because of similar reasons stated above.

24. Referencing claim 7, as closely interpreted by the Examiner, Huang does not specifically teach said proxy server allows only a file having no filename extension notified from the client as the filtering condition to be transmitted to the client. Guavin teaches said proxy server allows only a file having no filename extension notified from the client as the filtering condition to be transmitted to the client, (e.g. col. 8, line 60 – col. 9, line 5). It would have been obvious to one of ordinary skill in the art at the time the invention was made to combine the Guavin with Huang because of similar reasons stated above.

25. Claim 15 is rejected for similar reasons as stated above.

26. Claims 11 and 18 are rejected under 35 U.S.C. 103(a) as being unpatentable over Huang (6438576) in view of Eerola (6678518).

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27. Referencing claim 11, as closely interpreted by the Examiner, Huang teaches the use of a wireless phone as described above but does not specifically teach said proxy server is a gateway server for WAP (Wireless Application Protocol).

28. Eerola teaches said proxy server is a gateway server for WAP (Wireless Application Protocol), (e.g. col. 1, lines 44 – 53). It would have been obvious to one of ordinary skill in the art at the time the invention was made to combine the Eerola with Huang because it would be more efficient and compatible for a system to utilize a protocol that is common to integrate with other users in other system than to have a non-compatible system that could not do the described function without a type of adapter.

29. Claim 18 is rejected for similar reasons as stated above.

Conclusion

30. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

31. a. Blankenship et al. U.S. Patent No. 6738614 discloses Method and system for communicating data to a wireless device.

32. b. Park U.S. Patent No. 6374245 discloses Server system communicating with personal digital assistant and communication method thereof.

33. c. Ferguson U.S. Patent No. 6769019 discloses Method of background downloading of information from a computer network.

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- 34. d. Schwartz et al. U.S. Patent No. 6473609 discloses Method and architecture for interactive two-way communication devices to interact with a network.
- 35. e. Boothby et al. U.S. Patent No. 6212529 discloses Synchronization of databases using filters.
- 36. f. Kanevsky U.S. Patent No. 6300947 discloses Display screen and window size related web page adaptation system.
- 37. g. Lincke et al. U.S. Patent No. 6397259 discloses Method, system and apparatus for packet minimized communications.
- 38. h. Kariya U.S. Patent No. 6169897 discloses Mobile communications system and mobile terminal therefor with capabilities to access local information resources.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to David E. England whose telephone number is 571-272-3912.

The examiner can normally be reached on Mon-Thur, 7:00-5:00.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, David A. Wiley can be reached on 571-272-3923. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

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Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

David E. England

Examiner

Art Unit 2143

De



Will C. Vaughn, Jr.
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